

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 3:07CR259-MHT
)	
PIERRE MARCELLO GUNNINGS)	

NOTICE OF INTENT TO USE EVIDENCE OF OTHER CRIMES,
WRONGS, OR ACTS PURSUANT TO RULE 404(b), FEDERAL RULES OF EVIDENCE

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, to give notice of intent to use evidence of another crime in the trial of the defendant scheduled for May 12, 2008, and as reasons therefor, the following is submitted:

1. The defendant was indicted on December 5, 2007, and charged with two counts in connection with the attempted acquisition of a firearm. Count one charges the defendant with making a false statement in the attempted purchase of a firearm in violation of Title 18, United States Code, Section 922(a)(6). Count two charges the defendant with making a false statement with respect to information required to be kept under the provision of Chapter 44 of Title 18 United States Code, in violation of Title 18, United States Code, Section 924(a)(1)(A).

2. The defendant was arraigned on the charges in the indictment on December 21, 2007, and released on bond. Thereafter, on March 14, 2008, the defendant was arrested and appeared on a petition to revoke his bond because he had been arrested by the Auburn Police Department for carrying a pistol without a permit.

3. The United States intends to offer the fact the defendant was arrested for carrying a pistol without a permit to show his motive, intent and absence of mistake or accident as provided by Rule

404(b), Federal Rules of Evidence.

Respectfully submitted this the 5th day of May, 2008.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Donnie W. Bethel, Esq.

Respectfully submitted,

LEURA G. CANARY
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